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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,633	12/22/1999	MICHAEL T. WHITE	F19-99-140	5198

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INTERNATIONAL BUSINESS MACHINES CORPORATION
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EXAMINER

ZEENDER, FLORIAN M

ART UNIT PAPER NUMBER

3627

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/469,633

Applicant(s)

WHITE ET AL.

Examiner

F. Ryan Zeender

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

An amendment was received on 3/5/03. Claims 4-6 and 8 were cancelled and claims 1-3 and 7 remain pending.

Claim Rejections - 35 USC § 103

Claims 1-3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller in view of Rassman et al.

Miller discloses a method for facilitating implementation of an automated system for transacting business, the system having a plurality of users, the users being subject to predetermined rules governing business conduct (See Col. 7, line 65 – Col. 8, line 10); the method including the steps of: assigning a user identifier (See Col. 3, line 53 – Col. 4, line 8); preparing a security profile corresponding to each identifier, each security profile including a set of authorized transactions (See Col. 3, line 53 – Col. 4, line 14; and Col. 12, line 64 – Col. 12, line 13); the system allowing incompatible/conflicting transactions to be locked out providing security (See Col. 12, lines 3-9).

Miller lacks the specific teaching of the method including the steps of preparing a list of incompatible transactions; comparing each security profile with the list to identify the security profiles with incompatible transactions; and generating a report.

Rassman et al. teach a computer system for business whereby conflicts involving resources are identified/listed, indicia being employed to notify operators of conflicts, automatic notification of conflicts to relevant personnel, and automatic adjustment of schedules/resources to correct the conflict (See Col. 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Miller to include the steps of preparing a list of incompatible transactions, comparing each security profile with the list to identify the security profiles with incompatible transactions, and generating a report, in view of Rassman et al., in order to provide a cost efficient system (See Rassman et al., Col. 2, lines 27-30).

Response to Arguments

Applicant's arguments with respect to claims 1-3, and 7 have been considered but they are not persuasive. Applicant argues in the first three paragraphs of page 5 that "Miller does not address the problem of a given user being responsible for incompatible tasks", however this limitation is not found in the claims. Then, the applicant argues that "Miller makes no suggestion that tasks or users are subject to predetermined rules of business conduct", however, Miller does disclose business conduct rules (See Col. 7, line 65 – Col. 8, line 10). Applicant further argues that "Miller does not envision a system in which a given user should not be permitted to perform certain tasks in view of such rules", however, this limitation is not found in the claims. Further, applicant argues that "Miller does not disclose or suggest any criteria or rules under which a given user should be prevented from performing a given task", however, again, the limitation is not found in the claims. Applicant further argues that "Miller does not suggest rules governing business conduct which give rise to incompatible transactions", however, Miller does teach rules governing conduct which give rise to incompatible transactions (See specifically Col. 8, lines 1-10). The incompatible

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transaction, for example, would be when a person, not involved in a task, attempts to gain access to the task's details.

Rassman et al. teaches the limitations lacking in Miller. The applicant argues that "Neither of the references, considered alone or in combination, suggests preparing a list of incompatible transactions in accordance with predetermined rules governing business conduct". The "rules governing business conduct" is taught by Miller, as mentioned above, and the "list of incompatible transactions" is inherently taught by Rassman et al. in that a list is made when the conflicting resources are "identified".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to F. Ryan Zeender whose telephone number is (703) 308-8351. The examiner can normally be reached on Monday-Friday, 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Olszewski can be reached on (703) 308-5183-5183. The receptionist's phone number for the Technology center is (703) 308-1113 and the customer service number is (703) 872-9325.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for before Final communications and (703) 872-9327 for after Final communications.

 4/9/03
F. Zeender
Patent Examiner, A.U. 3627
April 9, 2003